

United States District Court

SOUTHERN

DISTRICT OF
McALLEN DIVISION

TEXAS

APR 25 2018

David J. Bradley, Clerk of Court

UNITED STATES OF AMERICA
V.

CRIMINAL COMPLAINT

Francisco Leija Jr.

Principal

Case Number:

YOB: 1986 USC

M-18-0885-M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 24, 2018 in Hidalgo County, in the Southern District of Texas defendants(s) did,
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact that, Cristian David Vallecillo-Godoy and Daysi Diobedis Ferrera-Carcamano, citizens and nationals of Honduras, along with nineteen (19) other undocumented aliens, for a total of twenty-one (21), who had entered the United States in violation of law, concealed, harbored or shielded from detection or attempt to conceal, harbor, or shield from detection such aliens in any place, including any building or means of transportation, to wit; at a residence located in Weslaco, Texas.

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(iii) FELONY
I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 21, 2018, Border Patrol Agents received information regarding a residence located at 5111 San Jose Street in Weslaco, Texas, being used to harbor undocumented aliens.

On April 23, 2018, agents conducted surveillance at the suspected stash house and observed a white Ford F-150 pickup depart the residence. Agents then made contact with Hidalgo County Constable Office (HCCO) for assistance. A constable attempted a traffic stop on the F-150 pickup at the intersection of FM 88 and Frontage Road, the vehicle failed to stop resulting in a pursuit. The constable lost sight of the F-150, but eventually found it abandoned. When the agents arrived to the scene agents discovered several bags with food, gallons of water, and snacks. The bag were consistent with ones used by guides and undocumented aliens when they attempt to circumvent the immigration checkpoints through the brush.

See Attached.

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No

Approved Joseph Leonard
Sworn to before me and subscribed in my presence,

April 25, 2018
Date

Peter E. Ormsby, U. S. Magistrate Judge
Name and Title of Judicial Officer

Signature of Complainant

David Bernal III Senior Patrol Agent
Printed Name of Complainant

McAllen, Texas
City and State

Signature of Judicial Officer

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
McALLEN, TEXAS**

ATTACHMENT TO CRIMINAL COMPLAINT:

M-18-0885 -M

RE: Francisco Leija Jr.

CONTINUATION:

Later that day, agents and HCCO proceeded back to 5111 San Jose in Weslaco, Texas. When agents arrived to the location agents approached two subjects who running towards the front of the residence. The subjects were subsequently detained and were identified as Francisco Leija Jr., a United States Citizen, and Jose Luis Reyes-Rodriguez, a citizen of El Salvador, illegally present in the United States. Record checks revealed Leija Jr. had an outstanding warrant for a Assault and was turned over to the Weslaco Police Department. Reyes-Rodriguez was transported to the Border Patrol station.

That evening, the Weslaco Border Patrol Station received information from a concerned citizen, who stated Leija Jr.'s primary residence, 2606 Cardinal Street in Weslaco, Texas, was being utilized by Leija Jr. to harbor undocumented aliens. The concerned citizen further stated the undocumented aliens were being held with little to no food and water.

The following morning, April 24, 2018, the concern citizen again contacted the Weslaco Border Patrol Station. The concerned citizen indicated the undocumented aliens were still at 2606 Cardinal Street and were very hungry and desperate.

A short time later, agents along with HCCO proceeded to the suspected stash house and conducted a knock and talk. At the door, agents made contact with a subject identified as Bael Garcia-Rebollar and conducted an immigration inspection. As the agent conducted the immigration inspection they observed a multitude of subjects inside the residence through the open door. Garcia-Rebollar freely admitted to being an undocumented alien and provided agents with consent to search the residence.

Inside the residence agents encountered a total of twenty (20) subjects. Cristian David Vallecillo-Godoy, Daysi Diobedis Ferrera-Carmano, and the additional eighteen (18) subjects all admitted to being illegally present in the United States.

All subjects were placed under arrest and transported to the Border Patrol station to be processed accordingly.

PRINCIPAL STATEMENT 1:

Agents proceeded to the Weslaco, Texas Police Department where Francisco Leija Jr., was read his Miranda Rights. He understood his rights and provide a sworn statement.

Leija stated he granted permission to an unknown subject to hold seven or eight illegal aliens at his home. Leija Jr. stated he was to get paid \$100 USD per person he harbored.

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MATERIAL WITNESSES STATEMENTS:

Cristian David Vallecillo-Godoy and Daysi Diobedis Ferrera-Carcamano were read their Miranda Rights. Vallecillo and Ferrera both agreed to provide a sworn statement without the presence of an attorney.

Material Witness 1:

Vallecillo, a citizen of Honduras, stated he made smuggling arrangements and paid \$4,500 USD. Vallecillo stated he illegally entered the United States by rafting across the Rio Grande River. Once in the United States, Vallecillo stated he was eventually transported to a stash house. While at the stash house Vallecillo stated a subject known as "Marijuano" loaded two illegal aliens into a white Ford F-150. Vallecillo indicated that "Marijuano" then received a phone call informing him that the Ford F-150 had been stopped by police. Vallecillo stated that "Marijuano" immediately transported him to another stash house where he was later arrested.

Vallecillo identified Leija Jr., through a photo lineup, as "Marijuano", the person who transported him to the stash house where he was arrested.

Material Witness 2:

Ferrera, a citizen of Honduras, stated she made smuggling arrangements and was to pay \$3000 USD to be smuggled into the United States. Once in the United States she was eventually transported to the stash house where she was later arrested. Ferrera stated that while at the house, a subject would take food and water for her and about twenty-five (25) other people. Ferrera indicated the same subject that provided food and water was in charge of the stash house. In addition, Ferrera stated the subject transported illegal aliens to the stash house.

Ferrera, identified Leija Jr., through a photo lineup, as the caretaker of the stash house where she was arrested.